

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

CITY AND COUNTY OF SAN FRANCISCO,

Plaintiff,

v.

CITY OF OAKLAND AND PORT OF  
OAKLAND,

Defendants.

Case No. 3:24-cv-02311-TSH

**STIPULATION REGARDING  
AMENDMENT OF CASE  
MANAGEMENT DEADLINES;  
~~PROPOSED~~ ORDER AS  
MODIFIED BY THE COURT**

CITY OF OAKLAND, A MUNICIPAL  
CORPORATION, ACTING BY AND  
THROUGH ITS BOARD OF PORT  
COMMISSIONERS (PORT OF OAKLAND),

Counterclaimant,

v.

CITY AND COUNTY OF SAN FRANCISCO,

Counterclaim Defendant.

**STIPULATION**

Plaintiff City and County of San Francisco (the “City”), and Defendant and Counterclaimant the City of Oakland, a municipal corporation, acting by and through its Board of Port Commissioners (the “Port”), (together, the “Parties” and, each, a “Party”), by and through their undersigned attorneys, hereby stipulate and agree pursuant to Federal Rule of Civil Procedure 16(b)(4), and Civil Local Rules 7-12 and 16-2 as follows:

- WHEREAS, this Court entered the Case Management Order on December 12, 2024 (Dkt. 86);
- WHEREAS, on April 11, 2025, the Parties stipulated to modifying the case schedule while the Parties attempted a second mediation (Dkt. 95);
- WHEREAS, the Parties were unable to resolve this litigation in that mediation, and have since been diligently engaged in discovery;
- WHEREAS, on September 3, 2025, the Parties stipulated to modifying the case schedule and the Court entered a new Case Management Order based upon that stipulation and finding of good cause (Dkt. 111);
- WHEREAS, the Parties have been actively engaged in discovery and the Parties have been diligent in pursuing discovery and observing the Case Management Deadlines;
- WHEREAS, the Parties are in the process of scheduling a mediation session with the Mediator at JAMS with whom the Parties mediated in April 2025, and the Parties are seeking to schedule that mediation to occur this month;
- WHEREAS, the parties continue to collect, review, and produce electronically stored information and are pursuing multiple third-party document and deposition subpoenas such that, in light of settlement discussions and despite the Parties’ diligence, more time will be needed to complete fact discovery; and
- WHEREAS, the Parties believe that good cause exists and it is in the interests of judicial economy to continue the Case Management Deadlines to allow the Parties to focus on

1 settlement efforts, while providing sufficient time for the parties to prepare their  
 2 respective cases should the forthcoming mediation not result in a settlement.

3 Therefore, the Parties respectfully request that this Court enter the attached proposed  
 4 order amending the Case Management Deadlines as follows:

CASE MANAGEMENT EVENT	DEADLINE (Dkt. 111)	PROPOSED AMENDED DEADLINE
Close of Fact Discovery	2/27/2026	5/27/2026
Disclosure of Expert Witnesses	3/31/2026	6/1/2026
Disclosure of Rebuttal Expert Witnesses	5/8/2026	8/10/2026
Close of Expert Discovery	6/5/2026	9/8/2026
Deadline to File Dispositive Motions	8/6/2026	11/6/2026
Hearing on Dispositive Motions	9/10/2026	12/10/2026
Exchange of Pretrial Disclosures	11/13/2026	1/13/2027
Deadline to File Pretrial Documents	12/4/2026	3/4/2027
Deadline to File Oppositions to Motions in Limine	12/11/2026	3/11/2027
Pretrial Conference	1/14/2027	4/14/2027
Final Pretrial Conference	2/11/2027	5/11/2027
Jury Trial (Duration to be determined)	2/22/2027	5/24/2027

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 18 **IT IS SO STIPULATED.**  
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1 Dated: December 4, 2025

FENNEMORE LLP & FENNEMORE CRAIG,  
P.C.

2  
3 By: /s/ Brandi B. Balanda

4 Eugene M. Pak  
5 Stephen C. Willey  
6 Brandi B. Balanda  
7 Sarah Gohmann Bigelow

8 Attorneys for Defendant and  
9 Counterclaimant City of Oakland, a  
10 municipal corporation, acting by and  
11 through its Board of Port Commissioners  
12 (Port of Oakland)

13 Dated: December 4, 2025

COOLEY LLP

14 By: /s/ Judd Lauter

15 Bobby Ghajar  
16 Judd Lauter  
17 John Hemann  
18 Ryan Stevens  
19 Jessica Williams

20 Attorneys for Plaintiff and Counterclaim  
21 Defendant City and County of San  
22 Francisco

**ORDER AS MODIFIED BY THE COURT**

PURSUANT TO THE ABOVE STIPULATION, IT IS SO ORDERED:

The deadlines set forth in the September 3, 2025 Case Management Order (Dkt. 111), are amended as follows:

<b>SUMMARY OF CASE MANAGEMENT DEADLINES</b>	
Close of Fact Discovery	5/27/2026
Disclosure of Expert Witnesses	6/1/2026
Disclosure of Rebuttal Expert Witnesses	8/10/2026
Close of Expert Discovery	9/8/2026
Deadline to File Dispositive Motions	<del>11/6/2026</del> 11/5/2026
Hearing on Dispositive Motions	12/10/2026
Exchange of Pretrial Disclosures	1/13/2027
Deadline to File Pretrial Documents	3/4/2027
Deadline to File Oppositions to Motions in Limine	3/11/2027
Pretrial Conference	<del>4/14/2027</del> 4/15/2027
Final Pretrial Conference	<del>5/11/2027</del> 5/13/2027
Jury Trial (Duration to be determined)	5/24/2027

**IT IS SO ORDERED.**

Dated: December 4, 2025.

By:   
Magistrate Judge Thomas S. Hixson